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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,427	06/26/2001	Joseph Reid Henrichs		3780

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641 Northeast Swann Circle  
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EXAMINER

BEACHAM, CHRISTOPHER R

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 10/23/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/891,427

Applicant(s)

HENRICH, JOSEPH REID

Examiner

Christopher R. Beacham

Art Unit

2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 4-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Response to Amendment***

***Election/Restrictions***

Newly submitted claims 4-6 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Claims 4-6 and claims 1-3 are related as process of making and product made, respectively. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case, the product as claimed in claims 1-3 can be made by another and materially different process, such as one that does not require "perforating the cover...", "painting the cover.." etc

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 4-6 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimuro et al. (hereinafter Nishimuro) (US 6,505,839 B1) in view of Boutaghou (US 6,496,326).

- Regarding claim 1, Nishimuro discloses a magnetic or optical hard disk drive cover (col. 1, lines 8-12) comprising:

- a magnetic or optical hard disk drive cover constructed from an electron conducting liquid crystal polymer resin (col. 4, lines 34-53);

- whereby, said magnetic or optical hard disk drive cover by using said electron conducting liquid crystal polymer resin increases said magnetic or optical hard disk drive cover's rigidity, giving it the ability to withstand vibrations, and other disturbances, while decreasing said magnetic or optical hard disk drive cover's weight thereby, causing its resonance point to increase (col. 6, lines 12-20).

Nishimuro does not disclose at least one unreinforced mounting hole extending there through for receiving a mounting insert.

However, Boutaghou discloses in Figure 1 a hard disk cover 14 with at least one unreinforced mounting hole (not numbered) extending there through for receiving a mounting insert (not numbered).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the disk cover of Nishimuro with at least one

unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the disk cover of Nishimuro with at least one unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou in order to properly secure the disk cover during operation so that disk drive housing vibrations cannot move or distort the disk drive cover.

- Regarding claim 3, Nishimuro discloses a data storage device housing cover (col. 1, lines 8-12) comprising:

a data storage device's housing cover constructed from any combination of graphite, carbon fiber, or carbon black filled liquid crystal polymer resin (col. 8, lines 50-60);

whereby, said data storage device housing cover, by adding graphite, carbon-fiber, or carbon-black filled liquid crystal polymer resin used in its construction makes said cover electrically conductive and therefore, when installed to a grounded system, causes said cover to act as an electro-static discharge and electro-magnetic interference device, giving said cover the ability to redirect electro-static discharge to a grounded system, avoiding therein, destruction of said data storage device's static sensitive circuitry and components (col. 8, lines 61-67).

Nishimuro does not disclose at least one unreinforced mounting hole extending there through for receiving a mounting insert.

However, Boutaghou discloses in Figure 1 a hard disk cover 14 with at least one unreinforced mounting hole (not numbered) extending there through for receiving a mounting insert (not numbered).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the disk cover of Nishimuro with at least one unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the disk cover of Nishimuro with at least one unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou in order to properly secure the disk cover during operation so that disk drive housing vibrations cannot move or distort the disk drive cover.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nishimuro et al. (hereafter Nishimuro) (US 6,505,839 B1) in view of Boutaghou (US 6,496,326) and further in view of Sato (JP 09-276755).

- Regarding claim 2, Nishimuro teaches a hard disk drive cover (col. 1, lines 8-12) comprising:

a hard disk cover constructed using electron conducting carbon comprising liquid crystal polymer resin (col. 4, lines 34-53);

whereby, said hard disk cover also reduces manufacturing costs by eliminating the need to machine, process, and clean said hard disk drive cover prior to its assembly therein, eliminating the need to apply special anti-corrosive coating to protect said hard disk drive cover from oxygen induced corrosion (col. 6, lines 12-20).

First, Nishimuro does not disclose at least one unreinforced mounting hole extending there through for receiving a mounting insert.

However, Boutaghou discloses in Figure 1 a hard disk cover 14 with at least one unreinforced mounting hole (not numbered) extending there through for receiving a mounting insert (not numbered).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the disk cover of Nishimuro with at least one unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to provide the disk cover of Nishimuro with at least one unreinforced mounting hole extending there through for receiving a mounting insert as taught by Boutaghou in order to properly secure the disk cover during operation so that disk drive housing vibrations cannot move or distort the disk drive cover.

Last, Nishimuro and Boutaghou do not exemplify the hard disk cover being painted with electron conduction paint.

However, Sato discloses an ion electrostatic coating method for spray-painting various kinds of products (section 001).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to coat the hard disk cover of Nishimuro and Boutaghou with the ion electrostatic coating method as taught by Sato.

The rationale is as follows: One of ordinary skill in the art at the time of the invention would have been motivated to coat the hard disk cover of Nishimuro and Boutaghou with the ion electrostatic coating method as taught by Sato in order to provide a hard disk cover with a high paint film quality nature and better stability in corrosive environments (section 0031; Sato).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

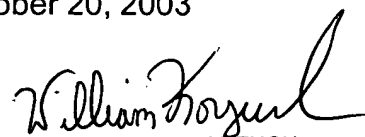
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Beacham whose telephone number is (703) 605-4256. The examiner can normally be reached on M-F, 8: 00 am-5: 30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.



Christopher R. Beacham  
Patent Examiner  
Art Unit 2653  
October 20, 2003



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